

HOUSE No. 2155

By Mr. Loscocco of Holliston, petition of Paul J.P. Loscocco
relative to the operation of low-speed vehicles. Transportation.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO THE OPERATION OF LOW-SPEED VEHICLES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 1 of chapter 90 of the General Laws, as
2 appearing in the 2000 Official Edition, is hereby amended by
3 inserting after the word “rest”, in line 122, the following defini-
4 tion:—

5 “Low-speed motor vehicle”, any four wheeled motor vehicle,
6 other than a truck, whose top speed on a paved level surface is
7 greater than 20 miles per hour but not greater than 25 miles per
8 hour, including neighborhood electric vehicles. All low-speed
9 motor vehicles must comply with the Federal Motor Vehicle
10 Safety Standards in 49 C.F.R. 571.500. 2003 and later model year
11 low-speed vehicles, in addition to meeting said Federal Standards,
12 must meet any additional equipment or performance standards
13 adopted by the Commonwealth which are not inconsistent with or
14 pre-empted by such Federal Standards. Where applicable, low-
15 speed motor vehicles will be recognized as “alternative fuel vehi-
16 cles”, “electric vehicles” or “zero emission vehicles”.

1 SECTION 2. Chapter 90 of the General Laws, as so appearing,
2 is hereby further amended by adding the following section:—

3 Section 1E. Every person lawfully operating a low-speed motor
4 vehicle shall have the right to use all public ways in the common-
5 wealth except limited access or express state highways or any
6 other public way with a posted speed limit of more than 35 miles
7 per hour, and shall be subject to the traffic laws and regulations of
8 the commonwealth and the regulations contained in this section.

9 This shall not prohibit a low-speed motor vehicle from crossing a
10 road or street at an intersection where the road or street to be
11 crossed has a posted speed limit of more than 35 miles per hour,
12 but not more than 45 miles per hour, provided said intersection
13 begins and ends on a road or street with a speed limit no higher
14 than 35 miles per hour and is controlled by traffic signals or stop
15 signs. The local department of public works, in consultation with
16 the local chief of police, or any local authority may, subject to the
17 approval of the Town Council, City Council or Board of
18 Selectmen, by regulation, prohibit the operation of low-speed
19 vehicles on any ways within its jurisdiction if it determines for
20 any reason that a way or a particular portion of the way represents
21 an unreasonable risk of death or serious injury or is otherwise
22 inappropriate for use by low-speed vehicles.

23 A low-speed vehicle shall not be operated by any person under
24 sixteen years of age nor by any person not possessing a valid dri-
25 ver's license, except that a person who is at least sixteen years of
26 age who possesses a valid learner's permit issued to him by the
27 registrar may operate a low-speed vehicle on those ways, or por-
28 tions of ways, where such operation is lawful when accompanied
29 by an operator duly licensed by his state of residence who is
30 twenty-one years of age or over, who has had at least one year of
31 driving experience and who is occupying a seat beside the driver.
32 The holder of a Junior Operator's License shall be subject to the
33 same license restrictions applicable to that license holder in the
34 operation of a low-speed vehicle as if said license holder were
35 operating any other motor vehicle.

36 A low-speed vehicle as defined in section one of this chapter
37 shall not be operated upon any public way unless such vehicle is
38 registered in accordance with the provisions of this chapter and
39 displays the registration number as provided in section six, is
40 equipped as provided by Federal Motor Vehicle Safety Standards
41 for Low-Speed Vehicles and as may be provided in equipment or
42 performance standards adopted by the Commonwealth which are
43 not inconsistent with or pre-empted by the Federal Standards, and
44 meets the insurance certificate requirements of section thirty-four
45 A. Low-speed vehicles shall be subject to annual inspection as
46 required by section 7A, for compliance with the Federal Motor
47 Vehicle Safety Standards in 49 C.F.R. 571.500 and such other

48 standards adopted by the Commonwealth which are not inconsis-
49 tent with or pre-empted by such Federal Standards. The registrar
50 may issue registration plates displaying the International Symbol
51 of Access for a low-speed vehicle upon the same terms and condi-
52 tions applicable to registrants of other motor vehicles and may
53 issue a special parking identification placard bearing the same
54 designation upon the same terms and conditions applicable to per-
55 sons seeking a placard for a motor vehicle.

1 SECTION 3. Section 2E of Chapter 85 of the General Laws, as
2 appearing in the 2000 Official Edition, is hereby amended by
3 inserting a second paragraph:—

4 In addition to the prohibitions contained in Section 1E of
5 Chapter 90, the department may, by regulation, prohibit the opera-
6 tion of low-speed vehicles on ways within its jurisdiction if it
7 determines that a way or a particular portion of the way is so
8 heavily traveled by trucks or other large vehicles as to represent
9 an unreasonable risk of death or serious injury to occupants of
10 low-speed vehicles. The department shall post signs where neces-
11 sary to provide notice to the public of such prohibited access.

1 SECTION 4. This act shall take effect upon its passage.